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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Mark Miller Chesser

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EXAMINER

DOAN, DUYEN MY

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/755,898	Applicant(s) CHESSER, MARK MILLER	
	Examiner Duyen M. Doan	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-37 and 40-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-37 and 40-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claims 1,3-20,22-37,40-45 are amended for examination.

Claims 2,21,38-39 are cancelled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3-20,22-37,40-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Markowitz et al (us pat 6295346) (hereinafter Mark) in view of Bauer et al (us pat 6751603) (hereinafter Bauer).

As regarding claims 1,20,37, Mark discloses the input code associated with one of the plurality of user entry buttons and representing user input by activation of the user entry button (see Mark col.3, lines 26-38; col.4, lines 6-45; col.7, lines 27-58, inputting the unique code using the telephone keypad, this unique code associate with the pre-recorded message that store at the service provider); locating in a programmable device at least one user-specified output character associated with user entry button, in response to receipt of the input code, the programmable device storing a plurality of user-specified output characters associated with the plurality of user entry button(see

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Mark col.3, lines 26-38; col.4, lines 6-45; col.7, lines 27-58, inputting the unique code using the telephone keypad, this unique code associate with the pre-recorded message that store at the service provider, the database at the service provider stores pre-recorded message associated with each individual); and providing said at least one user-specified output character for use by an application program (see Mark col.3, lines 26-38; col.4, lines 6-45, lines 54-67; col.7, lines 27-58).

Mark discloses the invention substantially as claimed, but fail to disclose receiving an input code from the wireless Internet-enabled device via a web interface of a server computer.

Bauer teaches receiving an input code from the wireless Internet-enabled device via a web interface of a server computer (see Bauer col.2, lines 54-60; col.4, lines 30-36; col.6, lines 15-38, using the mobile phone or any wireless to perform an action on the interface of the server computer by inputting the string character = input code).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Bauer to the method of Mark to use the wireless Internet enabled device via a web interface of a server computer because by using the wireless device to input the code through the interface of the server computer would accelerate and facilitate the process of finding data file in a computer system (see Bauer col.1, lines 8-21).

As regarding claims 3, 21-22, Mark-Bauer discloses receiving said input code via a web interface comprises receiving the input code from a data communications

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network (see Bauer col.4, lines 31-35). The same motivation utilized in claim 1 applied equally well to claim 3, 21-22.

As regarding claims 4-5, 23-24, Bauer discloses receiving the input code from the web interface comprises receiving the input code from a wireless communication system (see Bauer col.4, lines 31-35 and col.6, lines 33-38).

As regarding claim 6 and 25, Mark-Bauer discloses the wireless Internet-enabled device is a wireless telephone (see Bauer col.2, lines 54-60; col.4, lines 30-36; col.6, lines 15-38, using the mobile phone or any wireless device). The same motivation utilized in claim 1 applied equally well to claim 6,25.

As regarding claim 7-10, and 26-27, Mark-Bauer discloses providing the output character or linguistic phrase to an application program and performing an action based on the output (see Mark col.3, lines 26-38; col.4, lines 6-45; col.7, lines 27-58, inputting the unique code using the telephone keypad, this unique code associate with the pre-recorded message that store at the service provider, the database at the service provider stores pre-recorded message associated with each individual).

As regarding claim 11 and 28, Mark-Bauer discloses performing an action comprises inserting the linguistic phrase into a field of e-mail (see Mark col.7, lines 27-58).

As regarding claim 12 and 29 Mark-Bauer discloses programming said programmable device by associating at least one output character with a corresponding input code and its associated user entry button (see Mark col.3, lines 26-38; col.4, lines 6-45; col.7, lines 27-58, inputting the unique code using the telephone keypad, this

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unique code associate with the pre-recorded message that store at the service provider, the database at the service provider stores pre-recorded message associated with each individual).

As regarding claim 13 and 30, Mark-Bauer discloses associating linguistic phrases with corresponding input codes and the associated user entry buttons (see Mark col.3, lines 26-38; col.4, lines 6-45; col.7, lines 27-58, inputting the unique code using the telephone keypad, this unique code associate with the pre-recorded message that store at the service provider, the database at the service provider stores pre-recorded message associated with each individual).

As regarding claim 14 and 31, Mark-Bauer discloses receiving said at least one user-specified character from a user input device (see Mark col.3, lines 26-38; col.4, lines 6-45; col.7, lines 27-58, inputting the unique code using the telephone keypad, this unique code associate with the pre-recorded message that store at the service provider, the database at the service provider stores pre-recorded message associated with each individual).

As regarding claim 15 and 32, Mark-Bauer discloses receiving from a communication network programming commands for associating said at least one output character with said input code and its associated user entry button (see Mark col.3, lines 26-38; col.4, lines 6-45; col.7, lines 27-58, inputting the unique code using the telephone keypad, this unique code associate with the pre-recorded message that store at the service provider, the database at the service provider stores pre-recorded message associated with each individual).

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As regarding claim 16 and 33, Mark-Bauer discloses presenting a programming interface to a user, to facilitate receiving said programming commands (see Bauer col.2, lines 54-60; col.4, lines 30-36; col.6, lines 15-38). The same motivation utilized in claim 1 applied equally well to claim 16 and 33.

As regarding claim 17-19 and 34-36, Mark-Bauer discloses relating a set of input codes and corresponding output characters to a user, producing comprises locating a set of input codes and corresponding output characters, corresponding to a user determined from said input code (see Mark col.3, lines 26-38; col.4, lines 6-45; col.7, lines 27-58, inputting the unique code using the telephone keypad, this unique code associate with the pre-recorded message that store at the service provider, the database at the service provider stores pre-recorded message associated with each individual).

As regarding claim 40,41 Mark-Bauer discloses An apparatus for producing user-defined output characters in response to input codes (see Mark col.3, lines 26-38; col.4, lines 6-45; col.7, lines 27-58); plurality of user entry buttons where each user entry button is associated with an input code (see Mark col.3, lines 26-38; col.4, lines 6-45; col.7, lines 27-58), the system comprising a web server operable to establish communications with said web-communicating input device using the World Wide Web (see Bauer col.2, lines 54-60; col.4, lines 30-36; col.6, lines 15-38) and programmed to produce at least one user-specified output character associated with one of the plurality of user entry buttons for use in a field of an e-mail produced by an e-mail server in communication with said web server (see Mark col.3, lines 26-38; col.4, lines 6-45;

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col.7, lines 27-58), in response to receipt by said web server of an input code associated with the user entry button (see Mark col.3, lines 26-38; col.4, lines 6-45; col.7, lines 27-58), from said web-communicating input device (see Bauer col.2, lines 54-60; col.4, lines 30-36; col.6, lines 15-38).

As regarding claim 42, Mark-Bauer discloses said web server and said e-mail server are implemented on a common computer or separate computer (see Mark col.3, lines 26-38; col.4, lines 6-45; col.7, lines 27-58, also see Bauer col.2, lines 54-60; col.4, lines 30-36; col.6, lines 15-38).

As regarding claim 44-45, Mark-Bauer discloses data communication network is the Internet (see Bauer col.6, lines 63-67).

Response to Arguments

Applicant's arguments with respect to claims 1,3-20,22-37,40-45 have been considered but are moot in view of the new ground(s) of rejection.

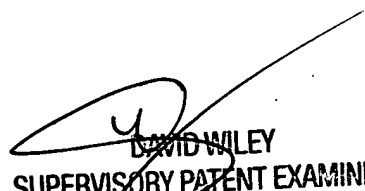
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner
Duyen Doan
Art unit 2143


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100